



9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2014-0040]

Waterway Suitability Assessment for Liquefied Hazardous Gas Facilities; Freeport, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice and request for comments.

SUMMARY: The Coast Guard, at Sector Houston-Galveston, announces receipt of a Letter of Intent (LOI) and Waterways Suitability Assessment (WSA) for a proposed construction project to modify existing petroleum product import/export facilities to add Liquefied Hazardous Gas (LHG) operations in Freeport, Texas. The LOI and WSA were submitted by Phillips 66. The Coast Guard is notifying the public of this action to solicit public comments on the proposed construction to add Liquefied Hazardous Gas (LHG) operations to the existing facility.

DATES: Comments and related material must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments identified by docket number USCG-2014-0040 using any one of the following methods:

(1) Federal eRulemaking Portal:

<http://www.regulations.gov>.

(2) Fax: 202-493-2251.

(3) Mail or Delivery: Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these three methods. See the "Public Participation and Request for Comments" portion of the SUPPLEMENTARY INFORMATION section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice of availability, call or e-mail LTjg William Stewart, U.S. Coast Guard; telephone 409-978-2730, e-mail William.a.stewart@uscg.mil. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments:

The Coast Guard encourages public participation. We request that you submit comments and related materials in response to this notice. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

Submitting comments: If you submit a comment, please include the docket number for this notice, USCG-2014-0040, and provide a reason for each suggestion or recommendation. You may submit your comments and related material online at <http://www.regulations.gov>, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an e-mail address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, type the docket number (USCG-

2014-0040) in the "SEARCH" box and click "SEARCH." Then click on "Submit a Comment" on the line associated with this notice.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

Viewing comments and documents: To view comments, go to <http://www.regulations.gov>, type the docket number (USCG-2014-0040) in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act: Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act

notice regarding our public dockets in the January 17, 2008, issue of the Federal Register (73 FR 3316).

Public meeting: We do not now plan to hold a public meeting. But you may submit a request for one, using one of the methods specified under ADDRESSES. Please explain why you believe a public meeting would be beneficial. If, based on requests or comments received, the Coast Guard determines that a public meeting would aid this evaluation and subsequent recommendation, we will hold one at a time and place announced by a later notice in the Federal Register.

Discussion:

Under 33 CFR 127.007, an owner or operator planning new construction to expand or modify marine terminal operations in an existing facility handling LNG or LHG, where the construction, expansion, or modification would result in an increase in the size and/or frequency of LNG or LHG marine traffic on the waterway associated with a proposed facility or modification to an existing facility, must submit an LOI to the Captain of the Port (COTP) of the zone in which the facility is or will be located. Under 33 CFR 127.009, after receiving an LOI, the COTP issues a Letter of Recommendation (LOR) as to the suitability of the waterway for LNG or LHG marine traffic to the appropriate

jurisdictional authorities. The LOR is based on a series of factors outlined in 33 CFR 127.009 that relate to the physical nature of the affected waterway and issues of safety and security associated with LNG or LHG marine traffic on the affected waterway.

The purpose of this notice is to solicit public comments on the proposed construction project to modify existing facilities to add LHG operations as submitted by Phillips 66 in Freeport, Texas. Input from the public may be useful to the COTP with respect to developing the LOR. The Coast Guard requests comments to help assess the suitability of the associated waterway for increased LHG marine traffic as it relates to navigation, safety, and security.

On January 24, 2011, the Coast Guard published Navigation and Vessel Inspection Circular (NVIC) 01-2011, "Guidance Related to Waterfront Liquefied Natural Gas (LNG) Facilities." NVIC 01-2011 provides guidance for owners and operators seeking approval to construct and operate LNG facilities. While NVIC 01-2011 is specific to LNG, it provides useful process information and guidance for owners and operators seeking approval to construct and operate or

expand LHG facilities as well. The Coast Guard will refer to NVIC 01-2011 for process information and guidance in evaluating the project included in the LOI and WSA submitted by Phillips 66. A copy of NVIC 01-2011 is available for viewing in the public docket for this notice and also on the Coast Guard's website at <http://www.uscg.mil/hq/cg5/nvic/2010s.asp>.

This notice is issued under authority of 33 U.S.C. §§ 1223-1225, Department of Homeland Security Delegation Number 0170.1(70), 33 CFR 127.009, and 33 CFR 103.205.

Dated: May 21, 2014.

B. K. Penoyer
Captain, U.S. Coast Guard
Captain of the Port Houston-Galveston, Texas.

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